

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRUSTEES OF THE NEW YORK CITY DISTRICT :
COUNCIL OF CARPENTERS PENSION FUND, :
WELFARE FUND, ANNUITY FUND, AND : 22 Civ. 8202 (JPC)
APPRENTICESHIP, JOURNEYMAN RETRAINING, :
EDUCATIONAL AND INDUSTRY FUND *et al.*, : ORDER
: Petitioners, :
: :
-v- :
: :
REGAL USA CONCRETE INC., :
: :
: Respondent. :
: :
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JOHN P. CRONAN, United States District Judge:

Petitioners have filed a petition to confirm and enforce an arbitration award under section 301 of the Labor Management Relations Act of 1947 (“LMRA”), *as amended*, 29 U.S.C. § 185. Dkt. 1 (“Petition”). Respondent has not appeared in this action. On June 12, 2023, the Court ordered Petitioners to provide additional information regarding the date of the audit that the Petition states was conducted “[p]ursuant to the Collection Policy,” Petition ¶ 21, which itself was promulgated on March 2, 2022, Dkt. 1-9. Dkt. 12. Petitioners filed a letter on June 14, 2023, which stated that the audit was conducted on October 29, 2021, and attached documentation establishing that date as the audit date. Dkt. 13.

As it seems the audit could not have been conducted pursuant to a policy not yet in effect, the Court requires additional information to resolve the Petition. By June 30, 2023, Petitioners shall inform the Court whether they believe that the March 2, 2022 Collection Policy is the correct policy referenced in the Petition, *see* Petition ¶ 16, and if so how that Collection Policy could provide a valid grounds for the arbitration award at issue in the Petition. If not, Petitioners shall

inform the Court if they wish to make any revisions to their Petition, and if so, what those revisions would be.

SO ORDERED.

Dated: June 20, 2023
New York, New York



JOHN P. CRONAN
United States District Judge